

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.411e Athletic agent; prohibited conduct; violation as misdemeanor; penalty; definitions.

Sec. 411e. (1) An athlete agent shall not do either of the following:

(a) Induce a student athlete to enter into an agent contract or professional sport services contract before the student athlete's eligibility for collegiate athletics expires.

(b) Enter into an agreement whereby the athlete agent gives, offers, or promises anything of value to an employee of an institution of higher education in return for the referral of a student athlete by that employee.

(2) An athlete agent who violates subsection (1) is guilty of a misdemeanor, punishable by a fine of not more than \$50,000.00 or an amount equal to 3 times the amount given, offered, or promised as an inducement as described in subsection (1)(a) or 3 times the value of the agreement entered into as described in subsection (1)(b), whichever is greater, or imprisonment for not more than 1 year, or both.

(3) As used in this section:

(a) "Agent contract" means any contract or agreement pursuant to which a person authorizes or empowers an athlete agent to negotiate or solicit on behalf of the person with 1 or more professional sport teams for the employment of the person by a professional sport team or to negotiate or solicit on behalf of the person for the employment of the person as a professional athlete.

(b) "Athlete agent" means a person who, directly or indirectly, recruits or solicits a person to enter into an agent contract or professional sport services contract, or who procures, offers, promises, or attempts to obtain employment for a person with a professional sport team or as a professional athlete. Athlete agent does not include a member of a person's immediate family.

(c) "Immediate family" means a person's spouse, child, parent, stepparent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, first cousin, or the spouse or guardian of any of the persons described in this subdivision.

(d) "Institution of higher education" means a public or private college or university.

(e) "Person" means an individual, sole proprietorship, partnership, association, corporation, or other legal entity.

(f) "Professional sport services contract" means a contract or agreement pursuant to which a person is employed or agrees to render services as a player on a professional sport team or as a professional athlete.

(g) "Student athlete" means an individual who engages in, is eligible to engage in, or may be eligible to engage in any intercollegiate sporting event, contest, exhibition, or program.

History: Add. 1988, Act 476, Imd. Eff. Dec. 28, 1988.